

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION

ROSIE L. DAVIS, et al

PLAINTIFF

VS.

Case No. 4:88-cv-4082
Member Case 4:99-cv-4012

WILLIAM DALE FRANKS

DEFENDANT

ORDER

Before the Court is a Motion for Approval of School Board District Re-zoning filed on behalf of Separate Defendant Hope School District No. 1 of Hempstead County, Arkansas (“HSD”). (ECF No. 95).¹ Also before the Court is HSD and Plaintiffs’ Joint Motion of Defendants and Plaintiffs to Approve Consent Order. (ECF No. 96).

The parties jointly request that the Court approve Option 4 which was passed by the Board of Directors for HSD on June 11, 2012. Option 4 provides for the redrawing of districts for HSD school board positions in accordance with Ark. Code Ann. § 6-13-631, and provides for a seven-person school board rather than an eight-person board in accordance with Ark. Code Ann. § 6-13-606(g).

Upon consideration, the Court finds that the motions should be and hereby are **GRANTED**. The Court adopts the consent decree agreed to by Plaintiffs and Defendants in their joint motion. The Court approves Hope School District’s action in changing its governance to a seven member board of education elected from single member districts with the specific election zones identified as Option 4 in defendants’ motion for approval. The term length of individual board members will

¹The Court notes that HSD is not explicitly listed as a Defendant in the present case. William Dale Franks, the former HSD superintendent, is included as a Defendant in his official capacity. By virtue of Franks’ inclusion in his official capacity, HSD is properly characterized as a Defendant in this case.

be three years, except for those persons elected in the September 2013 school election who will draw by lot for two 1-year terms, two 2-year terms, and three 3-year terms.

The parties are directed to respond in writing within forty-five days to issues not resolved by the consent order. The Court shall continue to exercise jurisdiction over this matter until it finds that HSD should be released from Court supervision.

IT IS SO ORDERED, this 3rd day of May, 2013.

/s/ Susan O. Hickey
Susan O. Hickey
United States District Judge